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### LEG 287T.02: Legal Research and Writing III

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**UNIVERSITY OF MONTANA MISSOULA COLLEGE OF TECHNOLOGY**  
**BUSINESS TECHNOLOGY DEPARTMENT**  
**LEG 287T COURSE SYLLABUS - LEGAL RESEARCH AND WRITING III**

Prepared by Teresa Thompson  
Spring 2015

SEMESTER CREDITS: 2

PREREQUISITES: LEG 286 T: LEGAL RESEARCH AND WRITING II - Grade of C or better

INSTRUCTOR NAME, E-MAIL ADDRESS: Teresa M. Thompson; [Teresa.Thompson@mso.umt.edu](mailto:Teresa.Thompson@mso.umt.edu)

OFFICE HOURS: By appointment

SUGGESTED TEXTS: *Writing and Analysis in the Law* by Shapo, Walter, Fajans. Revised 4<sup>th</sup> Edition, ISBM 1-58778-541-2 (2003) available inexpensively on-line from used book sellers; *Legal Research, Analysis, and Writing*, by Joanne Banker Hames, Yvonne Ekern, published by Prentice Hall, ISBN: 0135109442. ALWD Manual. REFERENCE MATERIALS: Montana Pleading and Practice Forms, by Crowley, available in the COT library; Montana Code Annotated, available on line and in the COT Library; other: as announced in class.

COURSE DESCRIPTION: Continued development of legal research and writing skills including advanced legal theory/case law synthesis, drafting correspondence, pleadings, discovery documents, persuasive writing. Upon completion of this course, the student will be able to: research, analyze, synthesize, and prioritize law cases, treatises, doctrines, theory of the law, legal rules, and other information and draft appropriate correspondence, pleadings, motions, briefs, discovery documents or memoranda relating to that information as would be anticipated in a law office. See also: <http://www.umt.edu/catalog/cat/cot/bustech.html>.

COURSE OBJECTIVES: Students will hone their research skills and become proficient in computerized research through computer law library programs, the Montana State Law Library, and other on-line resources. They will continue to practice verification and validation of research findings and they will continue to develop their legal writing skills.

INSTRUCTIONAL METHODS: All instruction is accomplished through classroom procedures. Attendance is mandatory. Instructional methods and procedures include lecture, interactive review and discussion, group exercises, on-line research, case and treatise analysis, and drafting.

OUTLINE OF SUBJECT AREAS (a very rough estimation):

- I. Legal Research via on-line search engines – ongoing during each class period; classes will be conducted in a computer lab where each student will have access to a computer and the on-line search engines – working as a group at times, and independently at other times.
  - a. Research the Rules of Civil Procedure regarding Civil Complaints. 1 hour
  - b. Utilize treatises and form books to understand Civil Complaints. 1 hour
- II. Review Memorandum from last semester and prepare a Complaint. 1 hour
  - a. Revise Complaint and Prepare a Summons and Praecipe. 1 hour
  - b. Research methods of service of process. 1 hour
- III. Switch sides and research defenses for Answer. 1 hour
  - a. Review Rules of Civil Procedure regarding Civil Answers. 1 hour
  - b. Utilize treatises and form books to understand Civil Answers. 1 hour
- IV. Review Memorandum from last semester and prepare an Answer. 1 hour
  - a. Revise Answer. 1 hour
  - b. Research method for filing Answer, serving on Plaintiff, etc. 1 hour
- V. Research the Rules of Civil Procedure applicable to the discovery process. 2 hours
- VI. Prepare discovery – interrogatories, requests for production and requests for admission
  - a. From Plaintiff to Defendant. 2 hours
  - b. From Defendant to Plaintiff. 2 hours

- c. Prepare Answers and Responses from Defendant to Plaintiff. 1 hour
- d. Prepare Answers and Responses from Plaintiff to Defendant. 1 hour
- VII. Research Motion practice and review relevant case law regarding motions to compel discovery. 2 hours.
- VIII. Prepare a Motion to Compel and a Brief in Support of Motion. 2 hours.
- IX. Mini-memo assignment requiring students to utilize the COT library and/or on-line resources, including the State Bar Attorney Handbook. 2 hours
- X. Interview a fellow student and uncover student's secret; be interviewed and keep your secret. 2 hours
- XI. Legal Citation practice and review. 3 hours.

#### STUDENT PERFORMANCE ASSESSMENT, METHODS OF GRADING AND PROCEDURES:

Students will be graded in these areas: Attendance and participation 30%; Periodic research and writing assignments 70%. Students' work will be graded in an objective manner in the areas of grammatical form, spelling and punctuation, correct legal citation pursuant to the ALWD Manual, and legal and informational content. The categories will be computed into a final grade using a point allocation system and weight factoring formula. All students are expected to attend every class unless excused by the instructor two days prior to class. For purposes of attendance records, students should communicate with the instructor at least 48 hours prior to class; sending an e-mail to which you do not receive a response and/or leaving a telephone message will not be considered "communication with the instructor."

**DEADLINES FOR WRITING ASSIGNMENTS WILL BE STRICTLY OBSERVED; ASSIGNMENTS WILL BE PROVIDED IN CLASS.** Students must print their work and hand it in as assigned in class. Assignments e-mailed to the instructor will not be opened or acknowledged.

In class work will involve class discussion and participation and peer review – these activities must occur during class time and cannot be made up. If any student requires special consideration for any reason, it is the responsibility of the student to contact the instructor to discuss the matter – prior to any situation that might give rise to the special consideration requested.

#### GRADE SCALE

93 – 100 A

85 - 92 B

77 - 84 C

69 - 76 D

Below 69% - F

All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and/or a disciplinary sanction by the University. All students need to be familiar with the Student Conduct Code. The Code is available for review online at:  
<http://life.umt.edu/vpsa/documents/StudentConductCode1.pdf>

Accommodations will be made for students with special needs.

Computers are provided for on-line legal research; refrain from using your computer or any additional device to access the internet for other purposes.

**CELL PHONES MUST BE TURNED OFF.**

**ALWAYS KEEP A COPY OF YOUR ASSIGNMENT**

**INSTRUCTOR RESERVES THE RIGHT TO REVISE THIS SYLLABUS**